

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MASSACHUSETTS BAY INSURANCE
COMPANY and HANOVER INSURANCE
GROUP, INC.,

Plaintiffs,

21 CIVIL 9184 (CM)

-against-

JUDGMENT

SENECA INSURANCE COMPANY, GREAT
AMERICAN INSURANCE COMPANY, 2939 LLC,
AND SOME OTHERS,

Defendants.
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Decision and Order dated February 26, 2025, the motions for summary judgment are decided as follows: 1. Plaintiffs' motion for summary judgment is in all respects DENIED. 2. 2939's cross-motion for summary judgment is GRANTED to the extent of declaring that 2939 is entitled to indemnification from Borgo/Industria; that Plaintiffs are liable to insure 2939 to the limits of their respective policies; and that neither of 2939's insurers (Seneca or Great American) is liable to cover any portion of the loss in this case. 3. The cross-motions for summary judgment by Seneca and Great American are GRANTED. 4. The complaint in this action is DISMISSED WITH PREJUDICE. Judgment is entered dismissing the complaint with prejudice and with costs to the Defendants; accordingly, the case is closed.

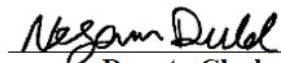
Dated: New York, New York

February 27, 2025

TAMMI M. HELLWIG

Clerk of Court

BY:



Deputy Clerk